

App. No. 09/833,201

Reply to Office action of November 5, 2003

REMARKS/ARGUMENTS

This is a full and timely response to the non-final Office Action dated November 5, 2003. Reexamination and reconsideration are courteously requested.

By way of the present amendment, claims 4, and 10 to 29 are canceled, and claims 1 and 3 are amended. Thus, claims 1 to 3, and 5 to 9 remain pending for the Examiner's consideration.

A. Restriction Requirement

In the Action, the claims under consideration are limited to claims 1 to 4, and 8 to 9, but limiting the scope of formula in claim 1, $R^1-(Ar^j)_n-R^2$, such that Ar^j is substituted or unsubstituted phenylene, n is 5, and the R groups are each independently substituents having the formula $R^3-(Ar^j)_m$, wherein Ar^j is substituted or unsubstituted phenylene, and m is 1. The above-described limitations were allegedly based on a telephone interview on October 22, 2003 between the Examiner and the below-signed attorney, David Benson. However, it is respectfully submitted that Mr. Benson specifically asked that in addition to the description on page 15, lines 14 to 24 and formula (II) therein, that the subscript n in the formula of claim 1 be an integer ranging between 5 and 15, and not limited to 5. Consequently, it is respectfully requested that the presently considered species be expanded in scope to reflect the election.

By way of the present amendment, claim 1 remains generic to all of claims 1 to 9. Therefore, if the present species is found to be allowable, it is respectfully requested that the Examiner continue to consider the remaining claims and their full scope.

In view of the Examiner's earlier restriction requirement, claims 10 to 29, directed to groups II to IX, have been canceled. Applicants retain the right to present these claims in a divisional application.

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B. Rejections Under 35 U.S.C. § 102(b)

Claims 1 to 4, and 8 to 9 are rejected as being anticipated by the Russian technical article, Synthesis of Alkylated p-polyphenylenes, by K. Kovyrzina et al. ("Kovyrzina"), the English abstract of which was provided by the Examiner. These rejections are respectfully traversed in light of the present amendment. Kovyrzina discloses a partially alkylated p-septiphenyl compound, but fails to teach or suggest that any of the aryl groups are halogenated, as recited in amended claim 1.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Because the features of claim 1 are neither taught nor suggested by Kovyrzina, it is respectfully requested that the rejections based on Kovyrzina be withdrawn.

Claims 1 to 4 are rejected as being anticipated by a U.S. Atomic Energy Commission document, High-temperature Liquids, by R. Florin et al. ("Florin"), the abstract of which was provided by the Examiner. These rejections are respectfully traversed in view of the present amendment.

Florin discloses an unsubstituted p-septiphenyl compound. However, claim 1 is amended to recite that the non-terminal aryl groups in the oligomeric para-phenylene compound are substituted, and Florin clearly fails to teach or suggest substituents for non-terminal phenyl groups. Consequently, it is respectfully requested that the rejections based on Florin be withdrawn.

Conclusion

In view of Applicant's amendments and remarks, it is respectfully submitted that Examiner's rejections under 35 USC § 102, are overcome. Accordingly, Applicants respectfully submit that the application, as amended, is now in condition for allowance, and such allowance

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is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact Applicants' representative.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: December 1, 2003

By: 

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